

trillions and trillions of dollars in new taxes and trillions and trillions of dollars in new debt.

President Biden and nearly every Democrat in Congress went on record in support of this socialist budget bill. Not a single Republican supports it, and not even every Democrat supports it. Now Democrats are fighting among themselves, and it is an absolute disgrace. Democrats ought to be thankful that bill didn't pass, because if it passed, inflation would get worse, just in time for elections.

This isn't what the American people want. The American people have many concerns right now about the direction of this country and the direction that the President is trying to lead the Nation. The two biggest concerns are the coronavirus in their communities and the cost of living that impacts on them, on the people every day. Democrats are failing on both.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

CHINA

Mr. MERKLEY. Mr. President, we have started a new year, 2022, filled with opportunities and possibilities. Yet, even as we contemplate new beginnings, many things remain the same, especially when it comes to the crimes and atrocities being carried out by the Chinese Communist Party.

The genocide against the Uighur Muslims is still ongoing—a million individuals enslaved. The attacks on democracy and the silencing of free speech in Hong Kong continue. In fact, it was just announced that one of Hong Kong's last remaining pro-democracy news outlets, Citizen News, is shutting its doors because it cannot continue operations under the current climate of repression under China's national security law. In spite of all that, just 31 days from today, leaders and athletes from across the world will gather in Beijing to celebrate the opening ceremonies of the 2022 Winter Olympic Games.

The Olympic Games are meant to inspire and to bring people together to build a better world, using sports to foster what the Olympic movement describes as a peaceful society, concerned with the preservation of human dignity, but China is not using these games to advance human dignity; it is using the games to polish its international image and hide its crimes and abuses. A peaceful society, concerned with the preservation of human dignity, would not idly stand by and allow its government to silence those who speak out for the rights of their fellow workers. Yet we see that happening time and time again in China.

This picture is of Fang Ran. He is a 26-year-old Ph.D. student in Hong Kong University's Sociology Department, where he studies Chinese labor relations and the Chinese labor movement. It is reported that Fang, while conducting fieldwork on his thesis about labor empowerment in China, in his

hometown on the mainland last August, was taken into custody by the Chinese authorities under the phrase "residential surveillance at a designated location."

What is "residential surveillance at a designated location"?

It is a coercive measure that allows authorities to hold individuals for up to 6 months, with no access to lawyers and no access to family at all.

Apparently, his research, as well as frequent social media posts about workers' rights, sexual harassment, and the displacement of migrant workers, put him on Beijing's radar.

According to one article, this young man roamed the factory towns of southern China, immersing himself in workers' lives and supporting them while they tried to strike or seek compensation for work injuries.

Even the fact that he is a loyal member of the Communist Party did not save him from officials' ire. One of his friends said that, in the months leading up to his disappearance, Fang had repeatedly been asked to drink tea. "Drink tea" is a code word for being summoned for questioning and harassment by Chinese security services. It has now been 4 months since the last time he was invited to "drink tea," and he has not been seen again. He has been detained because of his advocacy for workers in China—workers, in fact, like 31-year-old Chen Guojian, a gig delivery worker. Gig delivery workers were essential during the pandemic to deliver food, groceries, and other needed items.

While delivering scores of takeout orders a day, Chen would film short videos that showed the dangerous working conditions of the delivery workers, and he used those videos to advocate not just for better pay but for action against powerful Chinese e-commerce companies that benefit from fostering dangerous work conditions. Whether he intended it or not, this man, driving along on his electric scooter, wearing his bright, windproof jacket, became a rarity in China—a labor leader and organizer.

Then, suddenly, last February—almost a year ago—he disappeared. Over the course of the COVID pandemic, a movement for labor rights had begun to grow and gained mainstream traction, and delivery workers like Chen, who were lifelines for untold millions, could be seen outside every apartment building and every office building. There were symbols of this growing movement.

So, in the eyes of the Chinese Government, individuals like Chen had to be stopped—stopped from advocating, in even the smallest way, for any sort of collective effort to improve the condition of Chinese workers. So, almost a year ago, he was detained and given the catchall charge of "picking quarrels and provoking trouble." So many dissidents in China have been detained over the last few years for picking quarrels and provoking trouble because

Chen believed, as he said in one of his videos, that "delivery workers are humans, too, not robots, though the system wants to make us like cogs in a machine." His case is being handled with great secrecy by authorities.

About a month into his detention, friends and supporters began collecting donations to cover his legal fees. They raised about \$20,000, but then the Chinese officials contacted every person who donated, warning them not to help Chen. When the officials visited his parents to deliver a notice of his detention, they demanded his father sign the notice even though it was impossible for his father to read what was on the notice because of several lines being smudged out. So the father had no idea what he was actually acknowledging on that paperwork. Chen, for advocating for improvements in worker conditions, is facing up to 5 years in a Chinese prison.

His status and his future are unclear, but I call on the Chinese Government: Release those you have detained, like this young man who was working to make conditions better for workers in China.

Well, here we are, just 31 days from the start of the Winter Olympics in China—Olympics that the International Olympic Committee says are about a peaceful society concerned with the preservation of human dignity.

I say to the Chinese Government: Wouldn't it be the right thing to do for human dignity to release individuals who have simply spoken up like these two young men did for their fellow workers?

I say to the International Olympic Committee: Wouldn't it be the right thing for you to call on the Chinese Government to release individuals like these two young men who have simply spoken up to improve the condition of their fellow workers? Wouldn't that be consistent with human dignity?

I will tell you what is not consistent with human dignity, and that is Chinese genocide against the Uighur community, enslaving near a million people. What is not consistent with human dignity is striking down the free press in Hong Kong. The slogan of the Washington Post is, "Democracy Dies in Darkness," and that is the goal of the Chinese Government—to drive a stake through the democratic rights of Hong Kong citizens.

As we approach these games, let us not allow the Chinese Government and the Communist Party to hide their repression behind the glitz and glamour of Olympic Gold. Let's, instead, dedicate ourselves to calling out, time and time again, the oppression the Chinese Government is engaged in and demand justice that delivers human dignity.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Iowa.

FALSE CLAIMS ACT

Mr. GRASSLEY. Mr. President, we study about checks and balances in government in political science classes.

Often, people think in terms of the Court, the Supreme Court, primarily, being a check on the Congress of the United States not doing constitutional things or things in a constitutional way or maybe checking a President not doing things that he is constitutionally empowered to do.

We don't often think of Congress being a check on the judicial branch of government, but from time to time we pass legislation that says: To you folks on the Supreme Court making a decision, you didn't make that decision according to what congressional intent was. So we find ourselves passing legislation to overturn some Court case that misinterpreted a statute. At least that is our view that they misinterpreted a statute or congressional intent.

The last time I remember doing this was maybe a couple, 3 years ago on a tax bill. It happened that I had at least one person interpreting our statute correctly on this tax provision. It was Justice Breyer. I got a little note from Justice Breyer, pointing to his dissent in that case, and it said: It is an opportunity for you to pass a statute correcting what, I think, was a misinterpretation by the majority of that tax provision.

And we got that passed.

So here I am again. I don't know how many times in the last 30 years I have had to correct Court decisions misinterpreting the False Claims Act. We are in the process of trying to do that on the subject of whether or not certain actions of our government are material to that case actually being able to be prosecuted. I am talking about the False Claims Act that I and a liberal Member of the House of Representatives got passed in 1986.

The False Claims Act is the government's most powerful tool in fighting and deterring fraud. And I say to my fellow colleagues that any law that has brought in about \$65 billion of fraudulently taken money, that ought to, in itself, prove the worth of this legislation.

On the other hand, the courts interpret it and maybe weaken it, so I am back here to make an argument for strengthening it but not strengthening it beyond the original intent of the Congress of the United States in 1986. I have devoted much of my time in the Senate to strengthening this law on behalf of the taxpayers.

Last November, the Judiciary Committee voted on a bill that I sponsored that was very much a bipartisan co-sponsorship to further strengthen the False Claims Act by clarifying what violations are "material." Some of my colleagues expressed concern with my amendment, even in light of the fact that this legislation has brought \$65 billion of fraudulently taken money back into the Federal Treasury. Most of those concerns by my colleagues were based on debunked, recycled talking points from lobbyists that sound a lot like the ones that I have been hear-

ing since 1986—the purpose of the legislation. Most of the time, they have come from businesses that profit the most from defrauding the government.

When I authored the False Claims Act amendments in 1986, I did it because fraud against the Federal Government was out of control, especially in the defense sector. At the time, the Justice Department estimated that we were losing somewhere between 1 percent to 10 percent of the Federal budget to fraud. Most importantly, I saw that fraud put lives at risk, including those of our military, those of our law enforcement, and even of our veterans. So I am going to speak about some of this fraud that put lives at risk.

Recent court misinterpretations—and these are the misinterpretations that I have talked about already. Recent court misinterpretations have, once again, like several times in the last 25 years, hurt the government's ability to hold these fraudsters accountable by the courts that have made those decisions not following properly legislative intent.

Some courts now say that if the government keeps paying a claim despite some knowledge of potential fraud, then the violation is not material. Now, that is not common sense. If the government knows of fraud—now, think of this: If the government actually knows of fraud but keeps paying for that fraud, then that fraud can't be prosecuted under the False Claims Act.

That doesn't make sense to hard workers on Main Street in the Midwest. It doesn't meet the commonsense test for the government to protect fraudsters. This is wrong, and I want to show you some instances of where it is dangerous.

Today, I want to bring examples to you about real cases with real life experiences, cases where, had this flawed interpretation applied, the results would have been absurd and tragic.

First, in 2009, a major defense contractor settled a False Claims Act case with the Federal Government for \$325 million after allegations arose that they provided faulty parts for spy satellites. Due to the faulty parts, several satellites started to malfunction. One of them was on an important mission over the Middle East during a time of war.

Evidence showed that the contractor knew about the malfunctions but hid—hid—these modifications from the government. But even if the government had some idea about fraud, it couldn't stop payment because the contractor was the only company that could manufacture and support these satellites. Had this case been brought today, a court could incorrectly find that the violation was not material.

This ought to be unacceptable, and it is. This kind of fraud can hurt our troops and damage our national security.

Second example: Fraud hurts our law enforcement officers here at home. In 2018, the Justice Department settled a

fraud claim brought by a whistleblower against a manufacturer of bulletproof vests. According to public records, the manufacturer knew the vests would actually degrade and degrade very quickly under normal heat and humidity. The manufacturer tried to cover its tracks by publishing misleading data.

Those actions delayed the government's efforts to determine the true extent of the damage to these bulletproof vests. After years of investigation, a National Institute of Justice study found that more than 50 percent of the used vests could not stop a bullet—a very life-threatening issue.

In this case, the manufacturer argued that since the government kept paying for the vests, the fact that they didn't work was immaterial. Thankfully, the judge had common sense enough to see past such ridiculous arguments. In other words, common sense prevailed in that particular courtroom.

Now, remember, the actions of these fraudsters put our law enforcement personnel's lives at risk. Now, we had a brave whistleblower. So thanks to that brave whistleblower who uncovered this fraud, the money recovered from the settlement was used to purchase new bulletproof vests.

Third example and last example: Fraud hurts our veterans and undermines the Federal programs Congress created to support them and their families.

Another case involved fraud in home loans insured by the VA. The goal of these loans is to keep veterans in their homes. So, as most veterans know, VA loans prohibit lenders from charging veterans hidden fees. In this instance, a mortgage lender was illegally charging our veterans fees for VA-insured loans.

But the government never ceased payment because doing so would hurt the program and the veterans it was meant to help—not to mention that once a loan guarantee is approved, the VA is prohibited by law from declining payments.

Despite this, the district court applied the bogus new interpretation of materiality. The court dismissed the case. In other words, the fraudsters got away with it, and the court dismissed, saying that the government's continued payment meant the fraud was not material. So the government is allowing a program to go on, pay money out, even if they know there is fraud.

So let me underscore the obvious. I am telling you, Congress didn't intend for courts to find that fleecing veterans for profit is immaterial. The legislation that has come out of the Judiciary Committee will fix this nonsense. And I hope some Republicans—because most of the opposition in the Judiciary Committee came from Republicans. Democrats understand that this bill must pass, but, for some reason, Republicans are willing to accept this nonsense about immateriality.

So that is the purpose of this legislation. It clarifies that the government's

decision to continue paying a claim despite knowledge of fraud is not dispositive if other reasons exist for the continued payment—these simple reasons like everybody expected our government ought to do: to continue protecting our troops, to continue helping our law enforcement officers be safe in their job, and to make sure that a veteran doesn't get taken as a sucker to give away a lot of money that would be illegally taken.

So, as shown by the examples I just gave you, examples I highlighted this very day, the government's decision to continue paying a claim by itself doesn't prove materiality.

You may ask: Why did the government continue the payments? Well, that is pretty much simple common sense too—because you want these programs to function the way they should function.

My amendment will guarantee that the government can hold fraudsters accountable even when the government has to continue payment for a product or a service.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

#### REMEMBERING JOHNNY ISAKSON

Mr. MORAN. Mr. President, today is an opportunity for me to remind our colleagues of the value of Senator Johnny Isakson. I particularly want to speak this afternoon about his work in regard to our Nation's veterans.

When Senator Isakson retired, resigned from the U.S. Senate, I replaced him as the chairman of the Senate Committee on Veterans' Affairs, but I served the entire time he was the chairman. In fact, I have served the entire time I have been in the Senate and the entire time I have been in the House. And Senator Isakson and Congressman Isakson and I served together in both bodies.

I want to highlight for my colleagues and for Americans—and particularly the veterans across the country—that they had an advocate in Senator Johnny Isakson for them, for our Nation's veterans. He knew—he knew—the debt we owe to our veterans and kept that at the forefront of his mind and his heart as he led the Senate Committee on Veterans' Affairs.

His service as chairman was motivated by the stories of veterans who had touched his own life. Senator Isakson regularly spoke about two veterans—two veterans who shaped his approach as chairman: his college friend Jackson Elliott Cox III and Georgia native Noah Harris.

Jackson Cox volunteered to serve in the Marines in Vietnam and was killed

by a sniper a month before he was scheduled to return home. Noah Harris had volunteered to serve in the Army after 9/11 and was killed while serving in Iraq. Both men volunteered to serve their country in the military during times of war, and both men gave their lives in that service.

Senator Isakson was compelled by their service to remember and speak about the men and women who gave their lives to defend our Nation and believed that we must also remember and honor those who made it home.

Senator Isakson was involved in a number of legislative successes that improved how our Nation serves its veterans after they leave the military, and I want to highlight four of those pieces of legislation.

First, the Veterans Affairs Accountability and Whistleblower Protection Act finally gave the VA the tools it needed to hold officials accountable following several scandals at the Department and set the expectation that the VA would maintain a high-performance workforce to serve our veterans.

Second, the Veterans Appeals Improvement and Modernization Act of 2017 modernized the archaic benefits claims process at the VA and allowed VA to reduce its appeal backlog from nearly half a million appeals down to around 100,000. Veterans now have choices as to how they appeal benefits decisions and can receive timely decisions rather than waiting and waiting and waiting.

Third, the Harry W. Colmery Veterans Education Assistance Act of 2017, which is known as the Forever GI Bill, revolutionized veterans' education benefits by eliminating the 15-year window after service during which a veteran could use those benefits. It also invested in STEM education, IT and technology certification programs, and benefits for surviving families of veterans.

Finally, the VA MISSION Act is legislation I am proud to have championed alongside Senator Isakson. He knew that temporary programs put in place to address the Phoenix wait time scandal needed to be consolidated with existing options for care outside the VA, and I was honored to help him and the rest of Congress see the MISSION Act signed into law to give veterans clear choices on getting the care that best serves their needs.

Senator Isakson also felt a strong connection to veterans of the "greatest generation" who saved the world in World War II. On a visit in Europe, Senator Isakson came across the grave of Roy C. Irwin, who was killed in the Battle of the Bulge on the very same day that Senator Isakson was born in Georgia. He spoke regularly about the perspective that visit gave him and how he thought about what Roy Irwin and so many others who served had done for him and for all of us.

In his last year as chairman, Senator Isakson led a Senate delegation to commemorate the 75th anniversary of

D-day in Normandy, France. Despite the challenges his health may have posed for such a trip, he knew the importance of showing our World War II veterans and, in fact, the entire world that we remember their sacrifices and that as a nation, we honor the service of that generation and the example they set for generations to come.

Senator Isakson did not just remember the sacrifices of our veterans; he acted whenever he could to see to it that the benefits and services their country offered were delivered in the manner they deserved.

Before Army 1LT Noah Harris was killed in 2005, he and Senator Isakson exchanged letters, and Senator Isakson noted how Noah would always sign his letters "IDWIC," which stood for "I do what I can."

Similarly, Senator Isakson sought to get to yes on solutions instead of just focusing on problems or Senate differences or people's differences. He always worked to do everything he could when someone needed help, and his service to veterans will shine as an example for others—for us—to emulate. We will remember Senator Isakson and the impact he had on our Nation's veterans, and that will be remembered for generations.

Senator Isakson served 6 years in the House and 14 years in the Senate. He died December 19 at age 76. Over two decades of service and certainly over two decades of service to America's veterans.

I want to extend my condolences to Senator Isakson's wife Dianne and his children, Julie, Kevin, and John.

Please know that we are thinking of you all and are praying for you during this challenging and difficult time.

May God bless that family, and may Johnny Isakson rest in peace.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### REMEMBERING HARRY REID

Mr. McCONNELL. Mr. President, a week ago, the Senate lost a distinguished former colleague and the State of Nevada lost an unparalleled advocate.

Senator Harry Reid's path to this Chamber was a quintessentially American story. His incredible path from childhood poverty, to the boxing ring, to leading the U.S. Senate took both toughness and tenacity. And in this Chamber, just like everywhere else, Harry left it all in the ring.

As leaders of our respective parties, the two of us disagreed energetically and often. We had sharply different views, goals, and philosophies on everything from public policy to the institution of the Senate itself. But through